

REMARKS

After entry of this Communication, claims 1-20 are pending in this application. Claim 1 has been amended to more particularly point out and distinctly claim the subject matter that the Applicants regard as the invention. Claims 2-20 have been added. Reconsideration of the application as amended is requested.

In the Office Action dated November 6, 2002, the drawings stand objected to as failing to comply with 37 C.F.R. §1.84(p)(4) because the reference character 32 has been used to designate both the central edge and blade holder portion in Fig. 1. Submitted with this Amendment is a Request for Drawing Change Approval. In the Request for Drawing Change Approval, numeral 32 that designated the central edge has been changed to 31. Corresponding changes have been made to the specification. It is therefore submitted that the objection to the drawings is overcome. Reconsideration of the application as amended is requested.

Claim 1 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Graf U.S. Patent No. 6,421,934, in view of Reynolds, U.S. Patent No. 6,109,622. The Examiner states that Graf discloses a skate boot comprising a protective shell having opposing side walls and a sole joined by toe and heel portions. The Examiner also states that Graf fails to show at least two transversely extending bores formed in a holder, apertures formed in the legs and fasteners engageable through the apertures in the legs of the blade and the bores in the holder to removably affix the blade to the holder. The Examiner further states that Reynolds discloses a holder, blade and fasteners including at least two transversely extending bores formed in the holder and that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the skate boot of Graf with the ice skate chassis as taught by Reynolds to increase the force opposing deformation of the blade given by the transverse force. Claim 1 recites that the blade is received in the open ended groove after the holder has been unitarily formed with respect to the shell to emphasize that the blade holder and the protective shells are integrally formed prior to engagement of the blade with the blade holder. It is submitted that neither Graf nor Reynolds, taken singularly or in any permissible combination, teach or suggest a holder unitarily formed with respect to a shell operable to receive a blade in an open

ended groove. It is therefore submitted that claim 1 patentably defines over the references and is in suitable condition for allowance.

In support of the points raise herein, a declaration is submitted with this Communication. The declaration is made by the Applicant, one of ordinary skill in the art, traversing the rejection for obviousness. In particular, the declaration sets forth facts pertaining to the inherent difficulty with integrally molding toe and heel portions with a replaceable blade holder. The declaration also sets forth facts pertaining to the lack of motivation to combine the teachings of Graf and Reynolds. Respectfully, the suggested motivation for the combination of Graf in view of Reynolds to increase force opposing deformation of the blade is inaccurate. The declaration sets forth that the strength of a blade holder supporting a replaceable blade is generally less than the strength of a blade holder fixedly associated with a blade. As a result, one of ordinary skill would not be motivated to incorporate a replaceable blade to the protective shell of a goalie skate to increase strength or increase the force opposing deformation of the blade. The strength of a goalie skate is especially important since the goalie skate will experience severe, repetitive impact of a hockey puck during operation.

New claims 2-20 have been added in this Amendment. Claims 2-8 are allowable by dependency from claim 1. Claim 9 is a method claim reciting that the sole, the protective shell are integrally formed with respect to one another. As stated above and supported by the included declaration, the cited references does not teach or suggest an integrally formed goalie skate. It is therefore respectfully submitted that Claim 9 is in suitable condition for allowance. Claims 10-15 depend from claim 9 and are therefore also in suitable condition for allowance. Claim 16 is a linking claim linking the apparatus claims 1-8 and the method claims 9-15. Claim 16 recites all of the features recited in claim 9 and is therefore in suitable condition for allowance. Claims 17-20 depend from claim 16 and are therefore also in suitable condition for allowance. The Examiner's consideration of new claims 2-20 is requested.

It is respectfully submitted that this Amendment traverses and overcomes all of the Examiner's objections and rejections to the application as originally filed. It is further submitted that this Amendment has antecedent basis in

the application as originally filed, including the specification, claims and drawings, and that this Amendment does not add any new subject matter to the application.

Reconsideration of the application as amended is requested. It is respectfully submitted that this Amendment places the application in suitable condition for allowance; notice of which is requested.

If the Examiner feels that prosecution of the present application can be expedited by way of an Examiner's amendment, the Examiner is invited to contact the Applicant's attorney at the telephone number listed below.

Respectfully submitted,

YOUNG, BASILE, HANLON, MacFARLANE, WOOD  
& HELMHOLDT, P.C.

A handwritten signature in black ink, appearing to read 'W. M. Hanlon, Jr.', is positioned above the printed name.

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the specification:

Replace paragraph [0015] with:

Referring now to the drawing, and to FIGS. 1-5 in particular, there is depicted a goalie skate 10 having a protective shell 12 with a replaceable blade 14 mounted therein.

Replace paragraph [0018] with:

The inner side wall 22 has a greater height with an ankle portion 30 rising above the upper extent of the heel 26 before the central edge [32] 31 of the inner side wall 22 smoothly depends from the ankle portion 30 to the toe cup 24.

Replace paragraph [0021] with:

Finally, the bottom of the holder portion 32 is in the form of a continuous edge having an internal open-ended groove 50 extending there along between the leg 34 in toe portion of the shell 12 and the leg 40 in the heel [40] 26 of the shell 12.

Replace paragraph [0026] with:

At least one and preferably a pair of lateral supports 86 and 88 are formed intermediately along the length of the blade portion 68 between the toe leg [76] 78 and the heel leg 82. At least one aperture 90 is formed in each of the lateral supports 86 and 88 for weight reducing purposes. The lateral supports 86 and 88 fit snugly into the slots 48 formed in the legs 36 and 38 of the holder 32 to provide lateral support for the blade 14.

Replace paragraph [0027] with:

The blade 14 is removably attachable to the holder portion 32 by means of the aforementioned fasteners 44 and 46 which are extendable through the bores [42] 92, 94 formed in an upper end of the toe leg [76] 78 and the heel leg 82.

The toe leg [76] 78 and the heel leg 82 slide within open ended grooves 77 and 83 formed on the legs 34 and 40 of the holder portion 32 such that the apertures 92 and 94 align with the bores 42 in the legs 34 and 40 for receiving the fasteners elements 44 and 46 there through.

In the claims:

1. (Amended) An attachment to a goalie ice skate comprising:
  - a protective shell having first and second opposed side walls and a sole joined by toe and heel portions, the shell defining an interior cavity adapted for receiving a goalie ice skate boot;
  - a holder unitarily formed as part of the sole of the shell, the holder having an open ended groove extending lengthwise thereover;
  - at least two transversely extending bores formed in the holder;
  - a blade received in the open ended groove after the holder has been unitarily formed with respect to the shell, the blade having a blade edge and at least two legs projecting from the blade edge, apertures formed in the legs for alignment with [the] a corresponding number of bores formed in the holder when the blade is mounted in the open ended groove in the holder; and
  - fasteners engagable through the apertures in the legs of the blade and the bores in the holder to removably affix the blade to the holder.

New claims 2 - 20 have been added.